IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI

Gideon Thomas Grant #1252511)	17-3052-CV-S-BP -P
(full name) (Register No).)	
)	
)	
)	Case No.__________
Plaintiff(s).)	Jury Trial Demanded
)	
v.)	
)	
)	
Robert Williams #45799)	Defendants are sued in their (check one):
(Full name))	____ Individual Capacity
Unknown Terry)	____ Official Capacity
)	_✓_ Both
Defendant(s).	

COMPLAINT UNDER THE CIVIL RIGHTS ACT OF 42 U.S.C. § 1983

I. Place of present confinement of plaintiff(s): Jefferson City Correctional Center (JCCC)

II. Parties to this civil action:
Please give your commitment name and any another name(s) you have used while incarcerated.

A. Plaintiff Gideon T. Grant Register No. 1252511
Address Jefferson City Correctional Center, 8200 No More Victims Road, Jefferson City, Mo. 65101

B. Defendant Robert Williams #45799

Is employed as Correctional Officer I (C.O.I) in South Central Correctional Center (S.C.C.C.)

For additional plaintiffs or defendants, provide above information in same format on a separate page.

The following refers to II. (B.) Defendants

Unknown Terry; C.O. I
Jefferson City Correctional Center
8200 No More Victims Road
Jefferson City, MO. 65101

The Plaintiff's complaint is against all persons that subject or causes him to be subjected to a deprivation of federal protected rights. The Plaintiff reserve the right to amend his complaint adding claims, and/or Defendants.

III. Do your claims involve medical treatment? Yes X No ____

IV. Do you request a jury trial? Yes X No ____

V. Do you request money damages? Yes X No ____

State the amount claimed? $150,000.00 (~~actual~~/punitive)

VI. Are the wrongs alleged in your complaint continuing to occur? Yes X No ____

VII. Grievance procedures:

A. Does your institution have an administrative or grievance procedure?
Yes X No ____

B. Have the claims in this case been presented through an administrative or grievance procedure within the institution? Yes X No ____

C. If a grievance was filed, state the date your claims were presented, how they were presented, and the result of that procedure. (Attach a copy of the final result.)
The Plaintiff filed his original I.R.R./Grievance on October 6, 2015. The Plaintiff appealed to the highest level, and exhausted his administrative Remedies on 12-14-2015.

D. If you have not filed a grievance, state the reasons.
Not Applicable (N/A): The Plaintiff did exhaust his administrative remedies.

VIII. Previous civil actions:

A. Have you begun other cases in state or federal courts dealing with the same facts involved in this case? Yes ____ No X

B. Have you begun other cases in state or federal courts relating to the conditions of or treatment while incarcerated? Yes ____ No X

C. If your answer is "Yes," to either of the above questions, provide the following information for each case.

(1) Style: N/A
(Plaintiff) (Defendant)

(2) Date filed: N/A

(3) Court where filed: N/A

(4) Case Number and citation: N/A

(5) Basic claim made: N/A

(6) Date of disposition: N/A

(7) Disposition: N/A
(Pending) (on appeal) (resolved)

(8) If resolved, state whether for: N/A
(Plaintiff or Defendant)

For additional cases, provide the above information in the same format on a separate page.

IX. Statement of claim:

A. State here as briefly as possible the facts of your claim. Describe how each named defendant is involved. Include the names of other persons involved, dates and places. Describe specifically the injuries incurred. Do not give legal arguments or cite cases or statutes. You may do that in Item "B" below. If you allege related claims, number and set forth each claim in a separate paragraph. Use as much space as you need to state the facts. Attach extra sheets, if necessary. Unrelated separate claims should be raised in a separate civil action.

SEE ATTACHED...

B. State briefly your legal theory or cite appropriate authority:

SEE ATTACHED...

The following refers to IX (B)(Statement of claim).

This is a civil rights action filed by Gideon Thomas Grant, a state prisoner, for damages, and injunctive relief for retaliation in violation of th First Amendment to the United States Constitutio; Cruel and unusual punishment (failure to protect in violation of the Eight Amendment to the United States Constitution; and deliberate indifference in violation of the Due Process Clause of the Fourteenth Amendment to the Constitution. The Plaintiff also complains of the torts of negligence and harassment.

The following refers to IX. (A). Statement of claims

JURISDICTION

1. The Court has jurisdiction over the Plaintiff claims of violations of federal constitutional rights under 42 U.S.C. 1331(1) and 1343.
2. The Court has supplemental jurisdiction over th. Plaintiff state law tort claims under 28 U.S.C. 1367.

PARTIES

3. The Plaintiff, Gideon T. Grant, who is currently incarcerated at Jefferson City Correctional Center (JCCC) was incarcerated at South Central Correctional Center (SCCC) during the events described in this complaint.
4. The Defendants Robert Williams; and several other Unknown SCCC prison officials are employed at SCCC. (Defendant Terry was employed at SCCC during the events in this complaint, however, he is employed at JCCC at this present time). The Defendants are sued in their individual; and official capacity.

FACTS

5. On several different occasions the Plaintiff complained of several different SCCC prison officials denying him of his Certified Religious Diet (C.R.D.) tray without proper justification. The Defendants began expressing their anger; and hostility toward the Plaintiff for filing I.R.R.s/Grievances; and verbally expressing his wishes to file a lawsuit in federal court.

6. It is the routine, and established practice at SCCC that offenders be escorted to medical by a SCCC prison correctional officer.

7. On September 11, 2015 the offender Curtis Mitchell was allowed to go to medical absent a correctional officer present (offender Curtis Mitchell was assigned to Housing Unit 6) at which point in time the offender Curtis Mitchell entered Housing Unit 5 where the Plaintiff resided, and cut the Plaintiff on his face with a slashing type weapon. As a result the Plaintiff received several stiches to his face.

8. SCCC prison officials William Roberts, and several other unknow prison officials knew, or should have known that the assault was about to occur. However, SCCC prison officials completely failed to prevent the Plaintiff from being assaulted.

9. It is the routine, and established practice of SCCC to assign a correctional officer (c.o.) to the tower at SCCC to observe offenders going to and from at SCCC to assure the safety, and security of the offenders, and institution.

10. In addition, all SCCC prison officials are provided radios for the duration of their work shift. Yet, as a result in SCCC prison officials own deliberate indifference, and/or negligence the offender Curtis Mitchell breached safety, and security to perform his assault on Plaintiff.

11. It should be noted that the Defendants Terry called the Plaintiff a snitch in the presence of several other offenders for filing I.R.R.s/Grievances which is the cause of the September 11, 201 assault.

CLAIMS FOR RELIEF

A. RETALIATION

12. The Defendant Terry took some adverse action against the Plaintiff by calling the Plaintiff a snitch in the presence of several other offenders for filing I.R.R.s/Grievances, and expressing his wishes to file a lawsuit in federal court. The Defendant Terry intention were to chill the Plaintiff from excercising his first amendment rights, and to create a hostile living enviornment for the Plaintiff.

13. The Defendants William Roberts, and several other unknown SCCC prison officials who was responsible for escorting the offender Curtis Mitchell to medical, and to the tower to ~~assure the safety,~~ observe offenders going to, and from to assure the safety, and security of the offenders, and institution, however, failed to do so ~~were~~ took some adverse action against the Plaintiff. In addition, they were deliberate indifferent.

B. CRUEL, AND UNUSUAL PUNISHMENT

14. The Defendants deliberate indifference (failure to protect) by allowing the offender Curtis Mitchell to breach safety, and security

and allowing him to perform an assault against the Plaintiff gave rise to cruel, and unusual punishment in violation of the Eight Amendment to the United States Constitution.

C. DELIBERATE INDIFFERENCE

15. Paragraph 13, and 14 make a casual connection to the Plaintiff deliberate indifference claims in violation of the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

RELIEF REQUESTED

Wherefore, the Plaintiff request that this Court grant the following relief:

A. Declare that Defendant Terry violated the Plaintiff's First Amendment rights when he called the Plaintiff a snitch in the presence of several other offenders causing the Plaintiff assault to chill him from excercising freedom of speech.

B. Declare that the Defendants William Roberts, and the several other Defendants who were responsible for escorting offender Curtis Mitchell to medical, and observing the offenders to assure their safety, and security were deliberate indifferent when they failed to protect the Plaintiff (allowing the opportunity for the Plaintiff's assault) and declare that their actions gave rise to cruel, and unusual punishment.

C. Issue an injunction requiring that Plaintiff be seperated from the offender Curtis Mitchell ~~his~~ during the course of his assignment to the Missouri Department of Corrections.

D. Award cost, compensatory, and punitive damages against each defendant liable for the violations, and grant such other relief as this Court may deem just, and proper.

I verify under penalty of perjury that the facts stated in this complaint are true to ~~the~~ my Knowledge, and that any facts stated on information and belief are true to the best of my Knowledge, and belief.

Signed, [signature]

Date: 2/1/2017

NOTARY PUBLIC: [signature]

NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI

RAYMOND JOHN JEROZAL, JR.
My Commission Expires
August 26, 2017
Miller County
Commission #13612081

X. Relief: State briefly exactly what you want the court to do for you. Make no legal arguments.
Grant the Plaintiff monetary, and injuntion relief, cost, and any other relief that this Court deems just and proper ?

XI. Counsel:

A. If someone other than a lawyer is assisting you in preparing this case, state the person's name. ______

B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action? Yes____ No ✓

If your answer is "Yes," state the names(s) and address(es) of each lawyer contacted.
N/A

C. Have you previously had a lawyer representing you in a civil action in this court?
Yes ______ No ✓

If your answer is "Yes," state the name and address of the lawyer.
N/A

I declare under penalty of perjury that the foregoing is true and correct.

Executed (signed) this 29th day of January 2017

[signature]
Signature(s) of Plaintiff(s)

NOTARY PUBLIC: [signature]

NOTARY PUBLIC STATE OF MISSOURI NOTARY SEAL
RAYMOND JOHN JEROZAL, JR.
My Commission Expires
August 26, 2017
Miller County
Commission #13612081

Gideon Grant #1252511 HU-7B-214
Jefferson City Correctional Center
8200 No More Victims Rd.
Jefferson City, MO. 65101

MID-MISSOURI 652
THU 02 FEB 2017 PM

CLERK U.S. DIST. COURT
WEST. DIST. OF MO.
KANSAS CITY, MO.

U.S District Court
Office of the Clerk
1510 Whittaker Courthouse
400 E. Ninth Street
Kansas City, MO. 64106

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